

DA Loses High Court Bid To Block Suit by Shaw

The U.S. Supreme Court today turned down an appeal by Dist. Atty. Jim Garrison to block a \$5 million damage suit brought against him by Clay L. Shaw.

Shaw, who was prosecuted unsuccessfully by Garrison on charges of conspiracy in the assassination of President John F. Kennedy, sued Garrison and several Garrison associates, claiming his constitutional rights were violated by the prosecution.

Garrison claimed in his appeal that the suit should be dismissed on the basis of the fundamental rule of judicial or "official immunity." He had asked the high court to at least order consideration of his argument by the U.S. 5th Circuit Court of Appeals here.

THE SUPREME COURT made no comment in rejecting Garrison's petition. There was no dissent.

Shaw, a 37-year-old former businessman, in his suit accused Garrison and others of using "drug-induced and hypnotically induced" testimony of Perry Raymond Russo, the prosecution's star witness in the conspiracy case.

Shaw was acquitted March 1, 1969, by a jury which deliberated the case less than an hour.

Named with Garrison as defendants in the Shaw suit were Cecil M. Shillstone, Willard E. Robertson and Joseph M. Rault Jr., wealthy New Orleans businessman who headed a group called Truth and Consequences, which allegedly provided financial backing

for Garrison's investigation of the Kennedy assassination.

The Shaw suit was filed Feb. 27, 1970.

UNITED STATES DISTRICT COURT Judge Frederick J. R. Heebe last Nov. 5 refused a Garrison petition to dismiss the suit, and Garrison appealed to the Supreme Court.

Two days after Shaw was acquitted of conspiracy in the Kennedy assassination, Garrison charged him with perjury. He claimed Shaw lied under oath when he testified he did not know Lee Harvey Oswald or David Ferrie, named by Garrison as co-conspirators in the assassination.

United States District Court Judge Herbert W. Christenberry last May issued a permanent injunction blocking Garrison from prosecuting Shaw on the perjury charge. Garrison has appealed that ruling and the case, remains before the courts.